

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent Office, number 1-571-273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope, or filed electronically and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 16, 2007.

/Michael Chen/

Michael Chen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/789,776 Confirmation No. 1912
Applicant : James Say, et al.
Filed : February 27, 2004
TC/A.U. : 3735
Examiner : Natnithithadha, Navin

Docket No. : TS-02-24
Customer : 30349
No.

Title: Analyte Monitoring Device and Methods of Use

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT FILING RECEIPT

Sir:

It is respectfully submitted that the Filing Receipt, mailed May 26, 2004, in the above-identified patent application is incorrect for the following reason:

Domestic Priority data as claimed by applicant:

This application is a Continuation application of 10/420,057, filed 04/18/2003.

Please amend the filing receipt and any other official patent office records to reflect the corrected information as described above and re-issue a corrected filing receipt. A copy of the Request to Correct Filing Receipt identifying correct parent

application information was filed via facsimile to OIPE on March 4, 2005 (copy enclosed with facsimile transmission confirmation). However, to date, Applicants have not received a corrected filing receipt.

The following documents are enclosed in support of this request:

1. Filing Receipt for application no. 10/789,776 with annotated changes (2 pages);
2. Preliminary Amendment to the Specification for application no. 10/789,776, amending the Related Applications section of the Specification (2 pages);
3. Copy of previously filed Request for Corrected Filing Receipt including fax confirmation of receipt on March 4, 2005 (7 pages).

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

JACKSON & CO., LLP

/Seong-Kun Oh/

Dated: October 16, 2007

By _____

Seong-Kun Oh
Reg. No. 48,210
Attorneys for Applicant(s)

JACKSON & CO., LLP
6114 La Salle Ave., #507
Oakland, CA 94611-2802

Telephone: 510-652-6418, Ext. 82
Facsimile: 510-652-5691

Customer No.: 30349

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

JACKSON & CO., LLP

/Seong-Kun Oh/

Dated: October 16, 2007

By _____

Seong-Kun Oh
Reg. No. 48,210
Attorneys for Applicant(s)

JACKSON & CO., LLP
6114 La Salle Ave., #507
Oakland, CA 94611-2802

Telephone: 510-652-6418, Ext. 82
Facsimile: 510-652-5691

Customer No.: 30349



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/789,776	02/27/2004	3736	968	TS-02-24	26	31	3

CONFIRMATION NO. 1912

30349

JACKSON & CO., LLP

6114 LA SALLE AVENUE

SUITE 507

OAKLAND, CA 94611-2802

FILING RECEIPT



OC000000012783674

Date Mailed: 05/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Say, Alameda, CA;
Michael F. Tomasco, Cupertino, CA;
Adam Heller, Austin, TX;
Yoram Gal, Kibbutz Yagur, ISRAEL;
Behrad Aria, Alameda, CA;
Ephraim Heller, Oakland, CA;
Phillip John Plante, Sunnyvale, CA;
Mark S. Vreeke, Alameda, CA;
Keith A. Friedman, Austin, TX;
Fredric C. Colman, Berkeley, CA;

Domestic Priority data as claimed by applicant

This application is a CON of ~~10/420,054~~ ~~04/21/2003~~
which is a CON of 09/667,199 09/21/2000 PAT 6,565,509
which is a CON of 09/070,677 04/30/1998 PAT 6,175,752
(*)Data provided by applicant is not consistent with PTO records.

10/420,057, filed 04/18/2003

Foreign Applications

If Required, Foreign Filing License Granted: 05/25/2004

Projected Publication Date: 09/02/2004

Non-Publication Request: No

Early Publication Request: No

Title

Analyte monitoring device and methods of use

Preliminary Class

600

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

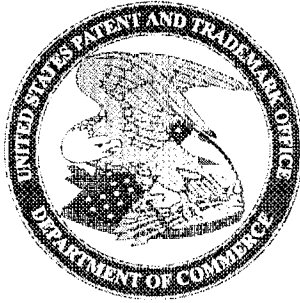
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 15106525691

Fax Information

Date Received:

3/4/2005 12:10:07 PM [Eastern Standard Time]

Total Pages:

6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

MAR 04 2005 9:11AM	JACKSON & CO., LLP	15106525691	P. 1
--------------------	--------------------	-------------	------

JACKSON & CO., LLP INTELLECTUAL PROPERTY ATTORNEYS <small>WWW.JACKSON.COM</small>	<small>CALIFORNIA 6114 LA SALLE AVE., 507 OAKLAND, CALIFORNIA 94612-2802 TEL 510/652-6418 FAX 510/652-6418</small>
--	--

FACSIMILE COVER SHEET

To: **FILING RECEIPT CORRECTIONS**
OIPE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Facsimile No. (703) 746-9195

Re: Application No. 10/722,251
U.S. Non-Provisional Patent Application for
ANALYTE MONITORING DEVICE AND METHODS OF USE
Inventor: James Say et al.
Filing Date: February 27, 2004
Orig File No. TS-02-24

From: Kurt Oh, Esq.
JACKSON & CO., LLP
6114 La Salle Ave., # 507
Oakland, CA 94612-2802
United States of America
Tel (510) 652-6418
Fax (510) 652-5691

Pages 6 (including Cover Sheet) Date: March 4, 2005

If you did not receive all of the pages of this facsimile transmission, please contact Kurt Oh at (510) 652-6418 or by email at k.oh@jackson.com.

SHORT COVER MESSAGE (if any):

This document, accompanying this facsimile transmission, contains information from the law firm of JACKSON & CO., LLP which is confidential and privileged. The information is intended to be for the use of the individual or entity to whom this transmission is sent. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the information, this facsimile transmission is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original document to us.

PAGE 10 * RCVD AT 345623-12/1607 PPH(Eastern Standard Time) * OUR USPTO FAX# 202-291-7189 * DMS 7/18/95 * CDR:15106525691 * DURATION:00m03s/02:28

FACSIMILE COVER SHEET

**To: FILING RECEIPT CORRECTIONS
OIPE**

Commissioner for Patents

PO Box 1450

Alexandria, CA 22313-1450

Facsimile No. (703) 746-9195

Re: Application No. 10/722,251

U.S. Non-Provisional Patent Application for

ANALYTE MONITORING DEVICE AND METHODS OF USE

Inventor: James Say et al.

Filing Date: February 27, 2004

Our File No. TS-02-24

From: Kuni Oh, Esq.

JACKSON & CO., LLP

6114 La Salle Ave., # 507

Oakland, CA 94611-2802

United States of America

Tel (510) 652-6418

Fax (510) 652-5691

Pages: _____ 6 _____ (Including Cover Sheet)

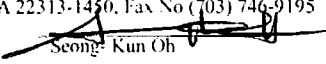
Date: March 4, 2005

If you did not receive all of the pages in this facsimile transmission, please contact Kuni Oh at (510) 652-6418 or by email at mail@jacolaw.com.

SHORT COVER MESSAGE (if any): _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3736
)	
James SAY et al	)	Examiner:
)	
Appln. No. 10/789,776	)	TRANSMITTAL
	)	FOR REQUEST FOR
Filed: February 27, 2004	)	CORRECTION OF OFFICIAL FILING
	)	RECEIPT
For: ANALYTE MONITORING DEVICE)	
AND METHODS OF USE	)	Customer No. 30349
	)	Jackson & Co., LLP
	)	6114 La Salle Ave., # 507
	)	Oakland, CA 94611-2802

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the FILING RECEIPT CORRECTIONS.
Commissioner for Patents,
P.O. Box 1450, Alexandria VA 22313-1450, Fax No (703) 746-9195
on March 04, 2005.

Seong-Kun Oh

Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:


1. Transmittal (in duplicate);
2. Request for Correction of Official Filing Receipt;
3. Deposit Account Authorization (in duplicate); and
4. Certificate of Transmission (in duplicate).

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 50-2019. A duplicate of this transmittal is attached.

Respectfully submitted,
JACKSON & CO., LLP

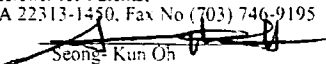
March 4, 2005
(Date)

(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Group Art Unit: 3736
)	
James SAY et al)	Examiner:
)	
Appln. No. 10/789,776)	TRANSMITTAL
)	FOR REQUEST FOR
Filed: February 27, 2004)	CORRECTION OF OFFICIAL FILING
)	RECEIPT
For: ANALYTE MONITORING DEVICE)	
AND METHODS OF USE)	Customer No. 30349
)	Jackson & Co., LLP
)	6114 La Salle Ave., # 507
)	Oakland, CA 94611-2802

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the FILING RECEIPT CORRECTIONS,
Commissioner for Patents,
PO Box 1450, Alexandria VA 22313-1450, Fax No (703) 746-9195
on March 04, 2005.

Seong-Kun Oh

Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:

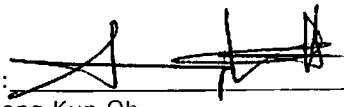
1. Transmittal (in duplicate);
2. Request for Correction of Official Filing Receipt;
3. Deposit Account Authorization (in duplicate); and
4. Certificate of Transmission (in duplicate).

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 50-2019. A duplicate of this transmittal is attached.

Respectfully submitted,
JACKSON & CO., LLP

March 4, 2005
(Date)

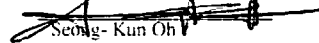
(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3736
)	
James Say et al	)	Examiner:
)	
Appln. No. 10/789,776	)	REQUEST FOR CORRECTION OF
	)	OFFICIAL FILING RECEIPT
Filed: February 27, 2004	)	<u>MAILED May 26, 2004</u>
)	
For: ANALYTE MONITORING DEVICE	)	Customer No. 30349
AND METHODS OF USE	)	Jackson & Co., LLP
	)	6114 La Salle Ave., # 507
	)	Oakland, CA 94611-2802

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the FILING RECEIPT CORRECTIONS,
Commissioner for Patents.
PO Box 1450, Alexandria VA 22313-1450. Fax No (703) 746-9195
on March 04, 2005.


Seong-Kun Oh

Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant herein submits this request to correct the Official Filing Receipt for the above-referenced application.

In particular, the Official Filing receipt notes that there is inconsistency with respect to the continuation application data with the PTO records in regards to claim of domestic priority to application no 10/420,054.

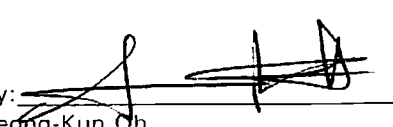
As such, Applicants herein note that the correct application number information to which priority is claimed, and further, which claims priority to now issued US Patent No. 6,595,509 is Application No. 10/420,057 filed on April 18, 2003.

These changes are also noted in the marked up copy of the official filing receipt enclosed with this transmission. In view of the foregoing, Applicant respectfully requests the correction of the official filing receipt to reflect the accurate priority information for the present application, and the reissuance of a corrected filing receipt.

Respectfully submitted,
JACKSON & CO., LLP

March 04, 2005
(Date)

(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/789,776	02/27/2004	3736	968	TS-02-24	26	31	3

CONFIRMATION NO. 1912

30349

JACKSON & CO., LLP

6114 LA SALLE AVENUE

SUITE 507

OAKLAND, CA 94611-2802

FILING RECEIPT



OC000000012783674

Date Mailed: 05/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Say, Alameda, CA;
Michael F. Tomasco, Cupertino, CA;
Adam Heller, Austin, TX;
Yoram Gal, Kibbutz Yagur, ISRAEL;
Behrad Aria, Alameda, CA;
Ephraim Heller, Oakland, CA;
Phillip John Plante, Sunnyvale, CA;
Mark S. Vreeke, Alameda, CA;
Keith A. Friedman, Austin, TX;
Fredric C. Colman, Berkeley, CA;

Domestic Priority data as claimed by applicant

This application is a CON of ~~10/420,054~~ ~~04/21/2003~~
which is a CON of 09/667,199 09/21/2000 PAT 6,565,509
which is a CON of 09/070,677 04/30/1998 PAT 6,175,752
(*)Data provided by applicant is not consistent with PTO records.

10/420,057, filed 04/18/2003

Foreign Applications

If Required, Foreign Filing License Granted: 05/25/2004

Projected Publication Date: 09/02/2004

Non-Publication Request: No

Early Publication Request: No

Title

Analyte monitoring device and methods of use

Preliminary Class

600

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).